

Senate Bill No. 795

Passed the Senate August 31, 2006

Secretary of the Senate

Passed the Assembly August 24, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 1753.3 of the Welfare and Institutions Code, relating to juvenile facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 795, Romero. Juvenile facilities: parole violators.

Existing law authorizes the Chief Deputy Secretary of the Division of Juvenile Justice to enter into an agreement with a city, county, or city and county to permit the transfer of wards in the custody of the division to an appropriate facility of the city, county, or city and county if the official who has jurisdiction over the facility consents.

This bill would require the Chief Deputy Secretary of the Division of Juvenile Justice to conclude an agreement with one or more counties on or before July 1, 2007, to provide services for parole violators. The bill would require the agreement to contain specified provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 1753.3 of the Welfare and Institutions Code is amended to read:

1753.3. (a) The Chief Deputy Secretary of the Division of Juvenile Justice may enter into an agreement with a city, county, or city and county, to permit transfer of wards, including parole violators, in the custody of the Division of Juvenile Justice to an appropriate facility of the city, county, or city and county, if the official having jurisdiction over the facility has consented. The agreement shall provide for contributions to the city, county, or city and county toward payment of costs incurred with reference to the transferred wards or parole violators.

(b) On or before July 1, 2007, the Chief Deputy Secretary of the Division of Juvenile Justice shall conclude an agreement with one or more counties, which may include a city and county, to provide services for parole violators, including services in a custodial setting or facility operated by the county or city and county as an alternative to the recommitment of parole violators

to an institution operated by the division. The agreement shall include all of the following provisions:

(1) A definition of the members who are eligible for referral to the local facility or program in lieu of return to a state institution operated by the division.

(2) A requirement that all parole violators be referred to the contract facility or program for an initial parole violation, in lieu of direct recommitment to an institution operated by the division, unless the contract facility or program is unable to accept the referral or unless there are extraordinary and documented public safety reasons which, in the opinion of the chief deputy secretary, necessitate a direct return of the violator to an institution operated by the division.

(3) Criteria for the acceptance or rejection of the referral by the director of the local facility or program, including criteria for returning parolees who fail out of the local facility or program to an institution operated by the division.

(4) A description of the parole violator program to be provided by the county or city and county, including the basic services to be offered, the proposed length of confinement in any local facility or program, and the linkages to community reentry programs or services that may facilitate successful reentry upon release of the violator from a contract facility or program.

(5) Provisions for the coordination of state and local parole and probation personnel in the case management of parolees during their terms of custody in the contract facility or program.

(6) Terms of payment or contributions by the division toward the costs incurred by the local program or facility for the custody and care of parole violators.

(c) Wards transferred to local programs or facilities under an agreement described in this section are subject to the rules and regulations of the local program or facility, but remain under the legal custody of the Division of Juvenile Justice.

Approved _____, 2006

Governor